Docket No.: 42P15765

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BOARD OF PATENT APPEALS AND INTERFERENCES

In Re Application of: Eric L. Debes et al. Application No. 10/612,061 Filed: June 30, 2003 For: METHOD AND APPARATUS FOR REARRANGING DATA BETWEEN MULTIPLE REGISTERS	Examiner: Malzahn, David H. Art Unit: 2193 **CERTIFICATE OF TRANSMISSION** I hereby certify that this correspondence is being transmitted to the United States Patent and Trademark Office, via EFS-Web, PST on 12-31-2008 /Lawrence M. Mennemeier/ Date Lawrence M. Mennemeier

APPELLANT'S BRIEF UNDER 37 CFR § 41.37
IN SUPPORT OF APPELLANT'S APPEAL TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Mail Stop Appeal Brief-Patents
Commissioner of Patents
PO Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Appellant hereby submits this Brief in support of an appeal from a final decision of the Examiner, in the above-referenced case. Appellant respectfully requests consideration of this appeal by the Board of Patent Appeals and Interference for allowance of the above-referenced patent application.

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I. Real Party in Interest

The real party in interest in the present appeal is Intel Corporation of Santa Clara, California, the assignee of the present application.

II. Related Appeals and Interferences

There are no related appeals or interferences to appellant's knowledge that would have a bearing on any decision of the Board of Patent Appeals and Interferences.

III. Status of the Claims (independent claims shown in bold)

Claims 1-51 are pending in the application.

Claims **28**-33, 45-49 and **51** stand rejected under 35 U.S.C. 101 as allegedly being directed to non-statutory subject matter.

Claims 1-10, 15-27 and 34-43 are allowed.

Final rejection of claims **28**-33, 45-49 and **51** is being appealed.

IV. Status of Amendments

An amendment and response to a first Office Action was mailed 8/16/2006 was submitted by appellant on 2/16/2007 and was entered. A final Office Action was mailed 3/13/2007. Appellant responded with an RCE on 8/13/2007, which was entered. Another final Office Action was mailed 9/26/2007. Appellant responded with an RCE on 10/30/2007, which was entered. Another final Office Action was mailed 11/23/2007. Appellant responded with an Amendment after Final on 1/23/2008, which was entered. A new final Office Action was mailed 2/8/2008. Appellant responded with another RCE on 6/12/2008, which was entered. A final Office Action was mailed 10/83/2008. A Notice of Appeal was transmitted on 12/31/2008, and an appeal ensued. Another amendment is being submitted, under 37 CFR § 41.33 and concurrent with the present appeal brief.

Accordingly, the claims stand as of the concurrently submitted amendment of 12/31/2008, and are reproduced in clean form in the Claims Appendix.

V. Summary of Claimed Subject Matter

Appellant's disclosure describes method, apparatus, and program means for rearranging data between multiple registers. The method of one embodiment comprises shuffling first set of packed data from a first source based on a first set of masks to produce a first set of shuffled data. The first set of masks is to include a first plurality of control entries to set designated data element positions in the first set of shuffled data to zero. A second packed data from a second source is shuffled based on a second set of masks to produce a second set of shuffled data. The second set of masks includes a second plurality of control entries to set to zero data element positions in the second set of shuffled data opposite to said designated data element positions in the first set of shuffled data. The first set of shuffled data and said second set of shuffled data are merged together to form a packed data resultant.

According to one embodiment as set forth in claim 28, an article comprises a machine readable medium that stores a program, the machine readable medium selected from the group consisting of floppy diskettes, optical disks, Compact Disc, Read-Only Memory (CD-ROMs), magnetic and magneto-optical disks, Read-Only Memory (ROMs), Random Access Memory (RAM), Erasable Programmable Read-Only Memory (EPROM), Electrically Erasable Programmable Read-Only Memory (EEPROM), magnetic or optical cards, or flash memory **{par. 34}**; said program being executable by a machine to perform a method comprising: shuffling first set of packed data from a first source based on a first set of masks to produce a first set of shuffled data, said first set of masks to include a first plurality of control entries, wherein at least one of said first plurality of control entries is to set a first data element position in said first set of shuffled data to zero **{pars. 39-40 and 119-120; Fig. 11, 1106}**; shuffling second packed data from a second source based on a second set of masks to produce a second set of shuffled data, said second set of masks

include a second plurality of control entries, wherein at least one of said second plurality of control entries is to set a second data element position in said second set of shuffled data to zero, said second data element position different from said first data element position; and merging said first set of shuffled data and said second set of shuffled data together to form a packed data resultant. **{pars. 39-40 and 119-120; Fig. 11, 1110}**

According to embodiments as set forth in claim 51, the phase adjustment circuit comprises a machine readable medium that stores a program, the machine readable medium selected from the group consisting of floppy diskettes, optical disks, Compact Disc, Read-Only Memory (CD-ROMs), magnetic and magneto-optical disks, Read-Only Memory (ROMs), Random Access Memory (RAM), Erasable Programmable Read-Only Memory (EPROM), Electrically Erasable Programmable Read-Only Memory (EEPROM), magnetic or optical cards, or flash memory **{par. 34}**; said program being executable by a machine to perform a method comprising: loading a first data for a first plane and a second data separate from and not interleaved with the first data for a second plane separate from and not interleaved with the first plane; loading a first control mask having a first shuffle pattern and a second control mask, separate from and not interleaved with the first control mask, having a second shuffle pattern, wherein said first control mask and said second control mask are each comprised of a plurality of control elements to control the filling of associated data element positions during shuffle operations; selecting one of said control masks to operate on said first plane data and another of said control masks to operate on said second plane data, wherein said one control mask is different from said another control mask; shuffling a first portion of said first plane data in accordance with said one control mask to generate a first set of shuffle data and a second portion of said second plane data in accordance with said another control mask to generate a second set of shuffled data separate from and not interleaved with the first set of shuffle data, wherein for each control element, data from a data element designated by said control element is to be shuffled to an associated resultant data element position if its flush to zero field is not

set and placing a zero into said associated resultant data element position if its flush to zero field is set; and merging said first set of shuffled data together with said second set of shuffled data to form a packed data resultant having data from both said first plane and said second plane. **{pars. 39-40 and 119-120; Fig. 11}**

VI. Grounds of Rejection to be Reviewed on Appeal

A. Claims **28**-33, 45-49 and **51** stand rejected under 35 U.S.C. 101 as allegedly being directed to non-statutory subject matter.

VII. Argument

A. 35 U.S.C. § 101 REJECTIONS

Claims **28**-33, 45-49 and **51** stand rejected under 35 U.S.C. 101 as allegedly being directed to non-statutory subject matter.

1. Claim **28** and **51** Are Directed to Patentable Subject Matter.

The Final Office Action states that a transmission from an Internet server may be a signal, which is merely a form of energy and fails to fall within a statutory categories of invention.

Appellant respectively disagrees, but has amended the claims to set forth a Markush group, which does not include a carrier wave, in order to present the rejected claims in better form for allowance or consideration on appeal.

Claim 28 as amended, sets forth:

> 28. An article comprising a machine readable medium that stores a program, the machine readable medium selected from the group consisting of floppy diskettes, optical disks, Compact Disc, Read-Only Memory (CD-ROMs), magnetic and magneto-optical disks, Read-Only Memory (ROMs), Random Access Memory (RAM), Erasable Programmable Read-Only Memory (EPROM), Electrically Erasable Programmable Read-Only Memory (EEPROM), magnetic or optical cards, or flash memory; said program being executable by a machine to perform a method comprising:
> shuffling first set of packed data from a first source based on a first set

of masks to produce a first set of shuffled data, said first set of masks to include a first plurality of control entries, wherein at least one of said first plurality of control entries is to set a first data element position in said first set of shuffled data to zero;

shuffling second packed data from a second source based on a second set of masks to produce a second set of shuffled data, said second set of masks include a second plurality of control entries, wherein at least one of said second plurality of control entries is to set a second data element position in said second set of shuffled data to zero, said second data element position different from said first data element position; and

merging said first set of shuffled data and said second set of shuffled data together to form a packed data resultant.

35 USC § 101 clearly states that, "Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title."

Thus Applicant respectfully submits that Claims 28-33, 45-49 and 51, as amended, are directed to statutory subject matter.

Conclusion

Appellant submits that all claims now pending are in condition for allowance. Such action is earnestly solicited at the earliest possible date. If there is a deficiency in fees, please charge our Deposit Acct. No. 50-0221.

Respectfully submitted,

Date: December 31, 2008

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VIII. Claims Appendix: Claims Involved in Appeal (Clean Copy)

1. (Previously Presented) A computer executed method comprising:

shuffling a first set of packed data from a first source based on a first set of masks to produce a first set of shuffled data, said first set of masks to include a first plurality of control entries, wherein at least one of said first plurality of control entries is to set a first data element position in said first set of shuffled data to zero;

shuffling a second packed data from a second source based on a second set of masks to produce a second set of shuffled data, said second set of masks include a second plurality of control entries, wherein at least one of said second plurality of control entries is to set a second data element position in said second set of shuffled data to zero, wherein said second data element position is different than said first data element position; and

merging said first set of shuffled data and said second set of shuffled data together to form a packed data resultant.

2. (Original) The method of claim 1 further comprising: loading said first set of packed data; and loading said second set of packed data.

3. (Original) The method of claim 1 further comprising: loading said first set of masks for shuffling said first set of packed data; and loading said second set of masks for

shuffling said second set of packed data.

4. (Original) The method of claim 3 wherein said first set of masks and said second set of masks are complementary, wherein said first set of masks is to flush to zero at least one data element position not flushed to zero by said second set of masks and said second set of masks is to flush to zero at least one data element position not flushed to zero by said first set of masks.

5. (Original) The method of claim 1 wherein said first set of masks and said second set of masks are each comprised of a plurality of shuffle control masks to control associated data element positions in shuffle operations.

6. (Previously Presented) The method of claim 5 wherein each shuffle control mask is comprised of:

a flush to zero field, said flush to zero field to indicate whether a data element position associated with this shuffle control mask is to be filled with a zero value;

a selection field, said selection field to indicate which elements of a plurality of table data elements in a table selection to shuffle data from; and

a source select field, said source select field to indicate which table selection of a plurality of table sections to get the indicated elements from for this shuffle control mask.

7. (Original) The method of claim 1 wherein said merging comprises performing a logical OR operation on said first set of shuffled data and said second set of shuffled data.

8. (Previously Presented) The method of claim 5 wherein said shuffling comprises:

for each shuffle control mask, shuffling data from a data element designated by said shuffle control mask to an associated resultant data element position if its flush to zero field is not set and placing a zero into said associated resultant data element position if its flush to zero field is set.

9. (Previously Presented) The method of claim 2, said first and second sets of shuffled data being loaded, and said packed data resultant being stored into a respective single instruction multiple data register wherein a capacity of each single instruction multiple data register is 128 bits.

10. (Original) The method of claim 2 wherein: said first packed data is comprised of a first plurality byte wide data elements; said second packed data is comprised of a second plurality of byte wide data elements; said first set of masks is comprised of a first plurality of byte wide shuffle masks; and said second set of masks is comprised of a second plurality of byte wide shuffle masks.

11-14. (Canceled)

15. (Previously Presented) A method for rearranging data comprising:

loading a first data for a first plane and a second data separate from and not interleaved with the first data for a second plane separate from and not interleaved with

the first plane, wherein said first plane is comprised of a first plurality of packed data elements and said second plane is comprised of a second plurality of packed data elements;

loading a first control mask having a first shuffle pattern and a second control mask, separate from and not interleaved with the first control mask, having a second shuffle pattern wherein said first control mask is comprised of a first set of masks to include a first plurality of control elements;

selecting one of said control masks to operate on said first plane data and another of said control masks to operate on said second plane data, wherein said one control mask is different from said another control mask;

shuffling a first portion of said first plane data in accordance with said one control mask to generate a first set of shuffle data and a second portion of said second plane data in accordance with said another control mask to generate a second set of shuffled data separate from and not interleaved with the first set of shuffle data, wherein at least one of said first plurality of control elements is to set a first data element position in said first set of shuffled data to zero;

merging said first set of shuffled data together with said second set of shuffled data to form a packed data resultant having data from both said first plane and said second plane.

determining whether more data in said first plane and said second plane is available for shuffling and merging; and

if said determination indicates more data is available for shuffling and merging, shifting out said first portion of said first plane data and shifting out said second portion of said plane data, and performing said operations of shuffling and merging on a third

portion of said first plane with a different control mask than said one control mask and on a fourth portion of said second plane with a different control mask than said another control mask.

16. (Original) The method of claim 15 wherein said second control mask is comprised of a second set of masks to include a second plurality of control elements, wherein at least one of said second plurality of control elements is to set a second data element position in said second set of shuffled data to zero.

17. (Previously Presented) The method of claim 16 wherein each control element is comprised of:

a flush to zero field, said flush to zero field to indicate whether a data element position associated with this shuffle control mask is to be filled with a zero value;

a selection field, said selection field to indicate which elements of a plurality of table data elements in a table selection to shuffle data from; and

a source select field, said source select field to indicate which table selection of a plurality of table sections to get the indicated elements from for this shuffle control mask.

18. (Original) The method of claim 17 wherein said first control mask and said second control mask are complementary, wherein said first plurality of control elements of said first control mask is to flush to zero at least one data element position not flushed to zero by said second set of masks and said second set of mask is to flush to zero at least one data element position not flushed to zero by said first set of masks.

19. (Original) The method of claim 17 wherein said first control mask and said second control mask are each comprised of a plurality of control elements to control the filling of associated data element positions during shuffle operations.

20. (Previously Presented) The method of claim 19 wherein for each control element, data from a data element designated by said control element is to be shuffled to an associated resultant data element position if its flush to zero field is not set and placing a zero into said associated resultant data element position if its flush to zero field is set.

21. (Original) The method of claim 20 wherein: each element of said first plurality of packed data elements is byte wide; each element of said second plurality of packed data elements is byte wide; each shuffle mask of said first plurality of shuffle masks is byte wide; and each shuffle mask of said second plurality of shuffle masks is byte wide.

22. (Original) The method of claim 18 further comprising loading third data for a third plane and loading a third control mask having a third shuffle pattern.

23. (Original) The method of claim 22 wherein said selecting further comprises selecting yet another mask from said control masks to operate on said third plane, said control masks to include said first, second, and third control masks.

24. (Original) The method of claim 23 wherein shuffling further comprises shuffling a

fifth portion of said third plane data in accordance with said yet another mask to generate a third set of shuffle data.

25. (Original) The method of claim 24 wherein said third control mask is comprised of a third set of masks to include a third plurality of control elements, wherein at least one of said third plurality of control elements is to set a third data element position in said third set of shuffled data to zero, said third control mask complementary to said first and second control masks wherein said third plurality of control elements is to flush to zero at least one data element position not flushed to zero by either of said first and second set of masks and said first and second set of masks are each to further flush to zero at least one data element position not flushed to zero by said third set of masks.

26. (Original) The method of claim 25 wherein said merging further comprises merging said third set of shuffled data together with said first and second set of shuffled data to form said packed data resultant, said packed data resultant to include data from said first, second, and third planes.

27. (Original) The method of claim 26 further comprising determining whether more data in said third plane is available for shuffling and merging.

28. (Previously Presented) An article comprising a machine readable medium that stores a program, the machine readable medium selected from the group consisting of floppy diskettes, optical disks, Compact Disc, Read-Only Memory (CD-ROMs),

magnetic and magneto-optical disks, Read-Only Memory (ROMs), Random Access Memory (RAM), Erasable Programmable Read-Only Memory (EPROM), Electrically Erasable Programmable Read-Only Memory (EEPROM), magnetic or optical cards, or flash memory; said program being executable by a machine to perform a method comprising:

shuffling first set of packed data from a first source based on a first set of masks to produce a first set of shuffled data, said first set of masks to include a first plurality of control entries, wherein at least one of said first plurality of control entries is to set a first data element position in said first set of shuffled data to zero;

shuffling second packed data from a second source based on a second set of masks to produce a second set of shuffled data, said second set of masks include a second plurality of control entries, wherein at least one of said second plurality of control entries is to set a second data element position in said second set of shuffled data to zero, said second data element position different from said first data element position; and

merging said first set of shuffled data and said second set of shuffled data together to form a packed data resultant.

29. (Original) The article of claim 28 wherein said program further comprises: loading said first set of packed data; loading said second set of packed data; loading a first set of masks for shuffling said first set of packed data; and loading a second set of masks for shuffling said second set of packed data.

30. (Original) The article of claim 29 wherein said first set of masks and said second set

of masks are complementary, wherein said first set of masks is to flush to zero at least one data element position not flushed to zero by said second set of masks and said second set of masks is to flush to zero at least one data element position not flushed to zero by said first set of masks.

31. (Previously Presented) The article of claim 28 wherein each mask is comprised of:

a flush to zero field, said flush to zero field to indicate whether a data element position associated with this shuffle control mask is to be filled with a zero value;

a selection field, said selection field to indicate which elements of a plurality of table data elements in a table selection to shuffle data from; and

a source select field, said source select field to indicate which table selection of a plurality of table sections to get the indicated elements from for this shuffle control mask.

32. (Original) The article of claim 31 wherein said merging comprises performing a logical OR operation on said first set of shuffled data and said second set of shuffled data.

33. (Previously Presented) The article of claim 32 wherein said shuffling comprises: for each mask, shuffling data from a data element designated by said mask to an associated resultant data element position if its flush to zero field is not set and placing a zero into said associated resultant data element position if its flush to zero field is set.

34. (Original) An apparatus comprising: an execution unit to execute a sequence of instructions, said instructions to perform a data rearrangement operation, said instructions

to cause said execution to: shuffle a first set of packed data from a first source based on a first set of masks to produce a first set of shuffled data, said first set of masks to include a first plurality of control entries, wherein at least one of said first plurality of control entries is to set at a first data element position in said first set of shuffled data to zero; shuffle a second packed data from a second source based on a second set of masks to produce a second set of shuffled data, said second set of masks include a second plurality of control entries, wherein at least one of said second plurality of control entries is to set to zero a second data element position in said second set of shuffled data, wherein said second data element position is different than said first data element position; and merge said first set of shuffled data and said second set of shuffled data together to form a packed data resultant.

35. (Original) The apparatus of claim 34 wherein said instructions are to further cause said execution unit to: load said first set of packed data; load said second set of packed data; load a first set of masks for shuffling said first set of packed data; and load a second set of masks for shuffling said second set of packed data.

36. (Original) The apparatus of claim 35 wherein said first set of masks and said second set of masks are complementary, wherein said first set of masks is to flush to zero at least one data element position not flushed to zero by said second set of masks and said second set of masks is to flush to zero at least one data element position not flushed to zero by said first set of masks.

37. (Previously Presented) The apparatus of claim 34 wherein each mask is comprised of:

a flush to zero field, said flush to zero field to indicate whether a data element position associated with this shuffle control mask is to be filled with a zero value;

a selection field, said selection field to indicate which elements of a plurality of table data elements in a table selection to shuffle data from; and

a source select field, said source select field to indicate which table selection of a plurality of table sections to get the indicated elements from for this shuffle control mask.

38. (Previously Presented) The apparatus of claim 37 wherein each of said shuffle comprises: for each mask, shuffling data from a data element designated by said mask to an associated resultant data element position if its flush to zero field is not set and placing a zero into said associated resultant data element position if its flush to zero field is set.

39. (Original) A system comprising: a memory to store data and instructions; a processor coupled to said memory on a bus, said processor operable to perform instructions for a data rearrangement algorithm, said processor comprising: a bus unit to receive a sequence of instructions from said memory; an execution unit coupled to said bus unit, said execution unit to execute said sequence, said sequence to cause said execution unit to: shuffle a first set of packed data from a first source based on a first set of masks to produce a first set of shuffled data, said first set of masks to include a first plurality of control entries, wherein at least one of said first plurality of control entries is to set a first data element position in said first set of shuffled data to zero; shuffle a second packed

data from a second source based on a second set of masks to produce a second set of shuffled data, said second set of masks include a second plurality of control entries, wherein at least one of said second plurality of control entries is to set to zero at least one data element position in said second set of shuffled data, wherein said second data element position is different than said first data element position; and merge said first set of shuffled data and said second set of shuffled data together to form a packed data resultant.

40. (Original) The system of claim 39 wherein said instructions are to further cause said execution unit to: load said first set of packed data; load said second set of packed data; load a first set of masks for shuffling said first set of packed data; and load a second set of masks for shuffling said second set of packed data.

41. (Original) The system of claim 40 wherein said first set of masks are to flush to zero at least one data element position not flushed to zero by said second set of masks and said second set of masks is to flush to zero at least one data element position not flushed to zero by said first set of masks.

42. (Previously Presented) The system of claim 39 wherein each mask is comprised of:

a flush to zero field, said flush to zero field to indicate whether a data element position associated with this shuffle control mask is to be filled with a zero value;

a selection field, said selection field to indicate which elements of a plurality of table data elements in a table selection to shuffle data from; and

a source select field, said source select field to indicate which table selection of a plurality of table sections to get the indicated elements from for this shuffle control mask.

43. (Previously Presented) The system of claim 42 wherein each of said shuffle comprises: for each mask, shuffling data from a data element designated by said mask to an associated resultant data element position if its flush to zero field is not set and placing a zero into said associated resultant data element position if its flush to zero field is set.

44. (Canceled)

45. (Previously Presented) The article of claim 51 wherein said program further comprises: determining whether more data in said first plane and said second plane is available for shuffling and merging; and if said determination indicates more data is available for shuffling and merging, shifting out said first portion of said first plane data and shifting out said second portion of said plane data, and performing said operations of shuffling and merging on a third portion of said first plane with a different control mask than said one control mask and on a fourth portion of said second plane with a different control mask than said another control mask.

46. (Previously Presented) The article of claim 51 wherein said first plane is comprised of a first plurality of packed data elements and said second plane is comprised of a second plurality of packed data elements.

47. (Previously Presented) The article of claim 51 wherein: said first control mask is comprised of a first set of masks to include a first plurality of control elements, wherein at least one of said first plurality of control elements is to set a first data element position in said first set of shuffled data to zero; and said second control mask is comprised of a second set of masks to include a second plurality of control elements, wherein at least one of said second plurality of control elements is to set a second data element position in said second set of shuffled data to zero.

48. (Previously Presented) The article of claim 47 wherein each control element is comprised of:

a flush to zero field, said flush to zero field to indicate whether a data element position associated with this shuffle control mask is to be filled with a zero value;

a selection field, said selection field to indicate which elements of a plurality of table data elements in a table selection to shuffle data from; and

a source select field, said source select field to indicate which table selection of a plurality of table sections to get the indicated elements from for this shuffle control mask.

49. (Original) The article of claim 48 wherein said at least one of said first plurality of control elements of said first control mask is to flush to zero a data element position not flushed to zero by said second set of masks and said at least one of said second plurality of control elements of said second control mask is to flush to zero a data element position not flushed to zero by said first set of masks.

50. (Canceled)

51. (Previously Presented) An article comprising a machine readable medium that stores a program, the machine readable medium selected from the group consisting of floppy diskettes, optical disks, Compact Disc, Read-Only Memory (CD-ROMs), magnetic and magneto-optical disks, Read-Only Memory (ROMs), Random Access Memory (RAM), Erasable Programmable Read-Only Memory (EPROM), Electrically Erasable Programmable Read-Only Memory (EEPROM), magnetic or optical cards, or flash memory; said program being executable by a machine to perform a method comprising:

loading a first data for a first plane and a second data separate from and not interleaved with the first data for a second plane separate from and not interleaved with the first plane;

loading a first control mask having a first shuffle pattern and a second control mask, separate from and not interleaved with the first control mask, having a second shuffle pattern, wherein said first control mask and said second control mask are each comprised of a plurality of control elements to control the filling of associated data element positions during shuffle operations;

selecting one of said control masks to operate on said first plane data and another of said control masks to operate on said second plane data, wherein said one control mask is different from said another control mask;

shuffling a first portion of said first plane data in accordance with said one control mask to generate a first set of shuffle data and a second portion of said second plane data

in accordance with said another control mask to generate a second set of shuffled data separate from and not interleaved with the first set of shuffle data, wherein for each control element, data from a data element designated by said control element is to be shuffled to an associated resultant data element position if its flush to zero field is not set and placing a zero into said associated resultant data element position if its flush to zero field is set; and

merging said first set of shuffled data together with said second set of shuffled data to form a packed data resultant having data from both said first plane and said second plane.

IX. Evidence Appendix: Copies of Evidence Relied Upon by Appellant

Appellant relies upon no additional evidence in this appeal.

X. Related Proceedings Appendix: Copies of Decisions Rendered by a Court or the Board in any Prior and Pending Appeals, Interferences or Judicial Proceedings

There are no related appeals or interferences to appellant's knowledge that would have a bearing on any decision of the Board of Patent Appeals and Interferences.